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Planning Commission Study Session

TO: PLANNING COMMISSION

FROM:

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THROUGH:

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MEETING DATE: MARCH 5, 2014

SUBJECT: Z13-04: REQUEST TO AMEND THE TOWN OF GILBERT LAND

DEVELOPMENT CODE, CHAPTER I ZONING REGULATIONS,

DIVISION 2, <u>LAND USE DESIGNATIONS</u>, ARTICLE 2.3 <u>COMMERCIAL DISTRICTS</u>, SECTION 2.303 <u>LAND USE</u> REGULATIONS RELATED TO ADDING ADDITIONAL

REGULATIONS TO THE RESIDENTIAL, PERMANENT, MULTI-FAMILY USE IN COMMERCIAL ZONING DISTRICTS TO ADD

MIXED-USE CRITERIA, AND AMENDING SECTION 2.306

<u>ADDITIONAL USE REGULATIONS</u> BY ESTABLISHING REQUIRED

FINDINGS TO PERMIT RESIDENTIAL, PERMANENT MULTI-FAMILY USES IN THE REGIONAL COMMERCIAL (RC) ZONING

DISTRICT, SUBJECT TO A CONDITIONAL USE PERMIT.

STRATEGIC INITIATIVE: Community Livability

This amendment will promote appropriate mixed-use development within the Regional Commercial land use classification to ensure that Gilbert remains clean, safe and vibrant.

RECOMMENDED MOTION

NO MOTION REQUESTED; INPUT AND DIRECTION FROM THE PLANNING COMMISSION IS REQUESTED ON THE PROPOSED TEXT AMENDMENT.

BACKGROUND/DISCUSSION

History

Date Action

March 6, 2013 The Planning Commission initiated the LDC text amendment and held the

Citizen Review meeting to discuss the proposal pertaining to the Multi-Family

Residential use in the Regional Commercial zoning district.

January 8, 2014 The Planning Commission discussed a proposed draft of the LDC text

amendment and provided staff with comments and direction.

Overview

Multi-family residential development continues to be in high demand in Gilbert as well as the remainder of the Phoenix metropolitan area. Planning staff has been receiving a number of applications that fall into two categories:

- 1) Requests to amend the General Plan and to rezone properties for multi-family projects.
- 2) Requests to approve multi-family projects as part of mixed-use developments in the Regional Commercial (RC) Zoning District.

The Planning Division formed a Stakeholders Group consisting of developers, property owners, zoning attorneys, representatives from the Gilbert Chamber and the Small Business Alliance as well as the Planning Commission and staff to discuss and make recommendations regarding the content of this possible text amendment. The Group, which met on four occasions, used the Arizona State University (ASU) capstone studio report "A New Direction: Shaping Gilbert's Mixed-Use Future" to help frame the discussion. Meeting notes from the Stakeholders' February 19, 2014 meeting are attached to this report.

Stakeholder Group Findings and Recommendations

- There is growing demand for multi-family housing driven by changing demographics and housing choices.
- We should plan for obsolescence of commercial centers, converging with demand for new types of uses. The nature of retail is changing and we should anticipate that.
- Current challenge is to be competitive because there is an abundance of underutilized commercial land uses/ properties.
- Need greater flexibility in looking at mixed-use development in Gilbert. Build this flexibility into the LDC.
- The Town should retain the Multi-Family option as a Use Permit within the RC zoning district.
- Supplement the "Findings" with a menu of characteristics or design guidelines that will promote mixed-use integration.
- Add specific findings in LDC Section 2.306 to the general Findings in LDC Sec. 5.403. Refer to "Design Guidelines" for more information.

Proposed Text Amendment

Proposed additions to LDC Article 2.3 are shown in ALL CAPS:

Article 2.3 Commercial Districts

2.303 Land Use Regulations

Use Classification	NC	CC	SC	GC	RC	Additional Regulations
Residential, Permanent						
Loft Unit		P	P	P	P	
Multi-Family					L7	SEE SECTION 2.306

L7 – Only permitted as part of an integrated, mixed-use plan. Conditional Use Permit required.

2.306 Additional Use Regulations

H. REQUIRED FINDINGS. IN ADDITION TO THE FINDINGS REQUIRED IN SECTION 5.403: REQUIRED FINDINGS, THE PLANNING COMMISSION SHALL APPROVE, APPROVE WITH MODIFICATIONS AND/OR CONDITIONS, OR DENY A USE PERMIT AFTER MAKING THE ADDITIONAL FINDINGS OF FACT SET FORTH IN THIS SECTION:

- 1. MIXED LAND USES- THE PROPOSED PROJECT DEMONSTRATES THAT LAND USES ARE MIXED ON-SITE OR ARE MIXED IN COMBINATION WITH ADJACENT USES (EXISTING OR PLANNED). MIXED-USE DEVELOPMENT IS AN EFFICIENT INTEGRATION (HORIZONTALLY OR VERTICALLY) OF NON-RESIDENTIAL AND RESIDENTIAL USES THAT CULTIVATES A SENSE OF COMMUNITY IN A LIVE, WORK, PLAY ENVIRONMENT.
- 2. SUSTAINABILITY THROUGH COMPACT DESIGN- THE PROPOSED PROJECT DEMONSTRATES THAT SITE LAYOUT IS COMPACT, INCORPORATES SHARED PARKING AND/OR ON-STREET PARKING AND ENABLES FUTURE INTENSIFICATION OF DEVELOPMENT AND CHANGES IN LAND USE OVER TIME. PARKING FOR THE MULTI-FAMILY RESIDENTIAL COMPONENT MEETS MULTI-FAMILY RESIDENTIAL PARKING REQUIREMENTS OR AN APPROVED "SHARED-PARKING" MODEL.
- 3. PEDESTRIAN SCALE AND ORIENTATION- THE PROPOSED PROJECT DEMONSTRATES THAT ALL PORTIONS OF THE DEVELOPMENT ARE ACCESSIBLE BY A DIRECT, CONVENIENT, AND SAFE SYSTEM OF PEDESTRIAN FACILITIES, AND THE PROPOSAL PROVIDES APPROPRIATELY SCALED PEDESTRIAN AMENITIES AND GATHERING PLACES.
- **4. TRANSPORTATION AND CONNECTIVITY-** THE PROPOSED PROJECT DEMONSTRATES THAT THE DEVELOPMENT PROVIDES APPROPRIATE

VEHICULAR AND PEDESTRIAN CONNECTIVITY THAT SERVES VEHICLES, PEDESTRIANS AND BICYCLES.

The effect of the amendments will be to add four specific findings related to permitting permanent multi-family uses in the Regional Commercial (RC) zoning district subject to approval of a conditional use permit.

STAFF REQUEST

Staff requests Planning Commission input and direction.

Respectfully submitted,

Mike Milillo, CSBA Senior Planner

Attachments:

- 1. Stakeholder Group February 19, 2014 Meeting Notes
- 2. Draft Mixed Use Design Guidelines
- 3. Minutes of the Planning Commission Study Session, dated January 8, 2014

Z13-04
Attachment 1: Stakeholder Group
February 19, 2014 Meeting Notes
March 5, 2014

MEETING NOTES "MF/RC TEXT AMENDMENT" STAKEHOLDERS GROUP February 19, 2014

1. Discuss Planning Commission Comments (1/8/14) on Findings Draft

- Crime prevention through environmental design (CPTED) guidelines discussed in regard to view fencing on multi-family projects. Allow vehicular gating, with project view fencing to maintain natural surveillance.
- Two basic types of projects: Land is vacant (clean-slate) vs. infill on remnant parcels or repurposing existing development. How does mixed-use "integration" happen? It depends on the uses, connections thru elements like plazas.
- Placemaking- PC comments suggest it's subjective or vague. Maybe replace with public spaces or gathering places. Gathering places where residents and commercial uses connect. Move concept to Finding #3
- Perceived crime issue associated with MF. Jake to provide background on public perception vs. reality. SF vs. MF Calls for Service. Possibly incorporate "minimize opportunities for crime" into Findings verbiage.
 - 2. Draft LDC Text Amendment to Article 2.3 Commercial Districts & Design Guidelines Stakeholder Discussion
- Four to five Findings Proposed as: 1) MIXED LAND USES, 2) SUSTAINABILITY THROUGH COMPACT DESIGN, 3) PEDESTRIAN SCALE AND ORIENTATION, 4) TRANSPORTATION AND CONNECTIVITY, 5) PLACEMAKING.
- Remove Finding #5 and integrate #5 into #3 per earlier discussion. Define what makes a "gathering place" (landscape, signs, pedestrian experience). Discussed importance of pedestrian scale and inter-mixing of people from various uses. The gathering places don't need to be large, but have to be useful and have good location within project. Use signage and landscape theme to help integrate the uses and establish unique identity in common areas. Support with Menu of Design Guidelines.
- **GUIDELINES DISCUSSION:**
 - Define Mixed-Use.
 - Mixed Land Uses Suggested Revisions: 2ND bullet- "Integrated" means that uses are within a comfortable walking distance (APPROXIMATELY1/8 mile) and are connected to each other with direct, convenient and attractive sidewalks and/or pathways; 4th bullet- Include a mix of non-residential uses within walking distance of dwellings, so VEHICULAR TRIPS ARE REDUCED; 5th bullet-

- Accommodate A MIX OF USES, INCLUDING retail, offices, townhouses and apartments; 6th bullet- Incorporate Work-Live Units...WHERE APPROPRIATE & REASONABLE.
- Sustainability Through Compact Design Suggested Revisions: Change "and" to
 "or" after bullets; 2ND bullet- strike 130' dimension; 4th bullet- When a
 residential use is included in a mixed-use project, parking for the residential
 component shall meet Multi-Family Residential parking requirements OR a
 "SHARED-PARKING MODEL".
- Pedestrian Scale and Orientation Suggested Revisions: Remove the number/dimensions where specified to maintain flexibility/creativity; consider striking bullets 1 and 2 and re-write thought; Include safety, gathering places in new bullet(s); reword final bullet to demonstrate pedestrian scale, comfort/ safety and delete foot-candles reference.
- Transportation and Connectivity Suggested Revisions: Strike bullet #2; 7th bullet- strike "fenced" –Re-word: If fencing is provided, maintain views, open areas and integration of pedestrian network; 8th bullet- re-word without min. street spacing standard; retain last bullet- cross access for adjacent sites.
- Action Items: Staff to provide Stakeholders with revised draft incorporating changes by Monday 2/24 for review. Stakeholders provide any additional feedback by 2/26.
- Timeline: 3/5 PC Study Session, 4/2 PC Recommendation, 5/1 Town Council.

DRAFT MIXED-USE DESIGN GUIDELINES TO BE INCLUDED IN LDC CHAPTER II: DESIGN STANDARDS AND GUIDELINES:

Definition of Mixed-Use: Mixed-Use development is an efficient integration of nonresidential and residential uses that cultivates a sense of community in a live, work, play environment.

1. MIXED LAND USES

Where appropriate, land uses are mixed on-site or are mixed in combination with adjacent uses (existing or planned). The following may be used to achieve this guideline:

- The proposal includes a combination of land uses or contributes to create a mixed-use development. For the purposes of these standards, "mixed-use" means a combination of residential and commercial/office/industrial/civic uses, arranged vertically (in multiple stories of buildings) or horizontally (in close proximity to one another); or
- The proposal is designed in such a way that it is well integrated with adjacent land uses, meaning that adjacent uses are within a comfortable walking distance and are connected to the proposed use with direct, convenient and pedestrian friendly sidewalks and/or pathways; or
- The proposal includes a mix of non-residential uses within walking distance of dwellings, reducing the number of vehicular trips and vehicles using the street system.
- The proposal incorporates more than one "Work-Live Unit"- a Mixed
 Use unit consisting of a commercial and residential function. A WorkLive Unit is intended to function predominantly as work space with
 incidental residential accommodations that meet basic habitability
 requirements;
- The proposal ensures convenient access to a connected system of streets and paths; or
- The proposal contains an equally good or superior way to achieve these guidelines.

2. SUSTAINABILITY THROUGH COMPACT DESIGN

The site layout is compact, and enables future intensification of development and changes in land use over time. The following may be used to achieve this guideline:

- The proposal includes opportunities for shared parking between residential and non-residential uses; or
- The proposed site layout clusters buildings on the site to promote linked trips. A cluster is a group of buildings that are attached, oriented on adjacent street corners, or are in reasonably close proximity to each other such that a pedestrian need not walk across lengthy parking and driveway areas, between building entrances; or
- The proposal contains an equally good or superior way to achieve the above guidelines.

3. PEDESTRIAN SCALE/ORIENTATION

All portions of the development are accessible by a direct, convenient and safe system of pedestrian facilities, and the development provides appropriately scaled pedestrian amenities and gathering places. Public gathering places help to promote a sense of community and provide an environment for social interaction and activities to take place. The following may be used to achieve this guideline:

- The development does not diminish the safety, function, comfort or attraction of an existing public or private gathering space, as described in 1-4, below.
 - 1. "Safety" means both pedestrian safety near vehicles, and safety through a proposed site layout, building, and landscape design to promote natural surveillance; and
 - 2. The "function" of a public space may include transportation, in the case of the sidewalk; recreation and socialization, in the case of a plaza or park; and
 - 3. "Comfort" means the ability of a gathering space to reasonably accommodate expected uses; and
 - 4. "Attraction" relates to the reason people use the gathering space.
- Building front façades should be located as close as possible to the front property line; and
- Pedestrian facilities connect the development to adjacent land uses and provide connections through the development to the applicable public streets; and
- Pathways between uses or outdoor plazas are provided with weather protection and a street furnishing zone on both sides of every public and private street. Appropriate pedestrian amenities (e.g., street tree well cutouts, and space for outdoor seating, trash cans, newspaper

- racks, mail boxes, sidewalk displays, public art, misting systems, shade structures and awnings, etc.), are provided in such areas; and
- Surface parking is oriented behind or to the side of a building when possible;
- Provide *Exterior Shade* through mature trees species should be selected with high canopies that do not block visual access to shop fronts nor interfere with "eyes on the street."
- Appropriate amount of landscape buffering is provided between parking lots and all adjacent sidewalks.
- All building entrances, pathways and other pedestrian areas should be adequately illuminated with pedestrian-scale lighting (e.g., wall mounted, sidewalk lamps, bollards, landscape up lighting, etc.);
- Inviting and comfortable pedestrian-scale gathering spaces or plazas should be placed adjacent to pedestrian circulation routes and be designed to generate interest and engagement from pedestrians; or
- The proposal contains an equally good or superior way to achieve the above guidelines.

4. TRANSPORTATION AND CONNECTIVITY

The development provides appropriate vehicular and pedestrian connectivity that serves vehicles, pedestrians and bicycles. The following may be used to achieve this guideline:

- Public or private streets connect the development to adjacent neighborhoods and zoning districts; and
- The proposal implements all planned street connections, as designated by the Town's *Transportation Master Plan*; and
- When street connection(s) is/ are not practicable, pedestrian connection(s) are made to and through the Mixed-Use development in lieu of planned street connection(s). Pedestrian connections should equal what would be available if they were on a street;
- A tight network of streets, with wide sidewalks, steady street tree planting and buildings are set close to the sidewalks.
- If project fencing is provided, maintain views, open areas and integration of pedestrian network with adjacent commercial uses.
- Short blocks are encouraged to assist in integrating the uses, streets, lots and buildings. Where public street connections are not practicable, develop bicycle and pedestrian connections and internal private shopping streets that mimic public streets and meet the block guideline.

February 25, 2014

- Provide pedestrian friendly cross access between adjacent uses that encourages people to walk from use to use once they arrive at the Mixed-Use development; or
- The proposal contains an equally good or superior way to achieve these guidelines.

Z13-04
Attachment 3: Minutes of the Planning Commission Study Session, dated January 8, 2014
March 5, 2014

TOWN OF GILBERT PLANNING COMMISSION STUDY SESSION GILBERT MUNICIPAL CENTER, 50 E. CIVIC CENTER DRIVE GILBERT AZ JANUARY 8, 2014

COMMISSION PRESENT: Chairman Jennifer Wittmann

Vice Chairman Joshua Oehler Commissioner Brigette Peterson Commissioner Anthony Bianchi Commissioner David Cavenee Commissioner Kristofer Sippel Alternate Commissioner Khyl Powell

COMMISSION ABSENT: No

None

STAFF PRESENT:

Planning Services Manager Linda Edwards

Principal Planner Catherine Lorbeer

Senior Planner Al Ward

Senior Planner Maria Cadavid

Planner Amy Temes Planner Nathan Williams Planning Tech Curtis Neal

ALSO PRESENT:

Town Council Member Jenn Daniels

Town Attorney Phyllis Smiley
Town Attorney Michael Hamblin

Recorder Margo Fry

CALL TO ORDER:

Chairman Jennifer Wittmann called the meeting to order at 6:00 p.m.

Z13-04: REQUEST TO AMEND THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER I ZONING REGULATIONS, DIVISION 2, LAND USE DESIGNATIONS, ARTICLE 2.3 COMMERCIAL DISTRICTS, SECTION 2.303 RELATED TO AMENDING THE RESIDENTIAL, PERMANENT, MULTI-FAMILY USE TO ADD ADDITIONAL REGULATIONS AND AMENDING SECTION 2.306 ADDITIONAL USE REGULATIONS BY ESTABLISHING REQUIRED FINDINGS TO PERMIT RESIDENTIAL, PERMANENT, MULTI-FAMILY IN THE RC ZONING DISTRICT.

Planner Amy Temes stated that in March 2013 The Planning Commission initiated the text amendment for Multifamily Residential within Regional Commercial and a steering committee was formed consisting of developers, property owners zoning attorneys, representatives from the Gilbert Chamber and the Small Business Alliance as well as the Planning Commission and staff to discuss and make recommendations regarding Multifamily (MF) within Regional Commercial (RC). Mixed use is allowed within RC without Residential and is allowed with loft residential today without a use permit. Multifamily is currently allowed today within Regional Commercial mixed-use as a mixed use product as part of a Mixed-Use development but there have been no parameters set upon that in order to define what is a Mixed-Use development and what is required to make it viable. What the Steering Committee was taxed with was to move forward and determine whether the Use Permit process was a viable process and whether Multifamily needed to come out of Regional Commercial or could there be

additional findings added to the standard Use Permit findings in order to make it more specific for Multifamily housing within Regional Commercial or was there an entirely different process that had not been discussed as staff that could possibly help define that a little more. Through the discussions that occurred the Stakeholder Group found that there is a growing demand for Multifamily in the Town of Gilbert and the Town should retain Multifamily as an option within the RC zoning district and that it was a viable alternative in an RC zoning district for obsolete commercial centers where perhaps there is commercial on 3 or 4 corners and one of the commercial centers is failing to be able to come back in and integrate Mixed-Use with Residential as the component into that commercial center to make it more viable. It would also allow for under-utilized commercial land and land use properties to be able to develop with Mixed-Use development whether vertical or horizontal, allow for flexibility in Mixed-Use development, and in the end they determined that adding additional findings to the use permit was probably the best route to go and that also to have design guidelines that were based upon the Capstone Study that the ASU interns did for the Town several years ago would be a good guide to start with to define and determine the guidelines that those findings would be based on. Planner Temes reminded the Commission of the 4 findings of a Conditional Use Permit which are that there is no detriment to health and safety, they conform to the general plan, meet all building and zoning codes and does not interfere with the enjoyment of adjacent property. She then referred to the 4 findings on page 3 of the staff report that were being recommended by the Steering Committee and staff:

- 1. *MIXED LAND USES-* Project demonstrates that land uses are mixed on-site or are mixed in combination with adjacent uses (existing or planned).
- 2. SUSTAINABILITY THROUGH COMPACT DESIGN- Project demonstrates that site layout is compact, incorporates shared parking and/or on-street parking and enables future intensification of development and changes in land use over time.
- 3. PEDESTRIAN SCALE AND ORIENTATION- Project demonstrates that all portions of the development are accessible by a direct, convenient, attractive, safe, and comfortable system of pedestrian facilities.
- 4. TRANSPORTATION AND CONNECTIVITY- Project demonstrates that the development is part of a connected street and/or transit system that serves vehicles, pedestrians and bicycles.
- Staff recommends adding a fifth finding:
- 5. *PLACEMAKING* The proposed Project demonstrates that it provides safe, attractive, comfortable, and significant public spaces.

Planner Temes noted that the steering committee was somewhat apprehensive about adding the 5th finding because it is somewhat subjective for each and every project. If looked at based on the guidelines you can begin to see the parameters and what creates it. The idea of adding percentages and dimensions to some of those or minimum quantities is not something that the Steering Committee thought was a very good idea because once you start putting numbers to something you are limiting the creativity of what could come through the door based on a preconceived idea that isn't necessarily the idea that the applicant has. They do not want to limit that creativity because the idea of Mixed-Use is to foster that creativity and bring it forward through the idea of place making which is part of every one of the other 4 findings. Another finding that was discussed was economics. It is a key component and a major heading within the Capstone project. Another heading could potentially be Surrounding and Community Integration. Based on the outcome of the 3 Steering Committee meetings and research that Planner Milillo has done over the previous 8/9 months of the 4 findings brought forward,

plus the potential 5th, staff asked for the input of the Commission as well as their input over the definition of Mixed-Use. Planner Temes said that the definition that was in the ASU Capstone Project was "Mixed-Use development is an efficient integration of nonresidential and residential uses that cultivate a sense of community live work and play environment." Staff would like to know if that is a definition that the Commission feels that represents the findings for the Use Permit and if they think that it should be massaged somewhat and if staff is headed in the right direction.

Commissioner Cavenee said that what they were saying is that they are going to allow the Mixed-Use component within Regional Commercial and that they are trying to define Mixed-Use. He said that his concern was that they make sure that they stipulate that in addition to being able to have the Multifamily that it cannot be exclusively Multifamily. Perhaps that is assumed currently but years down the road someone could come in and say that they are allowed to do Multifamily and the current discussion would not be remembered. It should be plainly stated that if they are going to do Multifamily it must be part of a larger Mixed-Use piece and then it would be allowed by Use Permit

Planner Temes commented that based on the definition of Multifamily in the Land Development Code it allows anything from duplexes on up in intensity. A lot of people were assuming that this Mixed-Use Multifamily was limited to Multifamily Low or Multifamily Medium but the actual definition in the code for Multifamily is from a duplex and forward.

Commissioner Cavenee said that he just wanted to make sure that they kept it Mixed-Use and that it does not become a singular element other than Commercial. It must be combined. He said that he thought it was a good definition, however, he would also say that Mixed-Use can be absent Residential. You can have a Mixed-Use Commercial so they may want to consider that as they go forward with that definition.

Chairman Wittmann said that if there is a 40 acre RC center with 20 acres developed and the remaining 30 undeveloped and a developer comes in, is the interpretation that the developer cannot claim the existing commercial and the to be developed residential as part of Mixed-Use component or does it need to be included in one application/ plan.

Commissioner Cavenee said that the mixed use concept is taking hold across the nation and is a very useful development tool but he wanted to make sure that it stays integrated. If not it will end up being multifamily adjacent to a commercial development. If someone comes in with a 40 acre RC parcel but points out that they are not ready to do commercial but are allowed to do multifamily that use would not be able to move forward because it does not meet the integrated component.

Chairman Wittmann said what if there is existing commercial there and a residential developer comes in and only intends to develop the multifamily and wants to use the existing commercial as part of that.

Commissioner Cavenee said that perhaps they should go case-by-case on that but in his opinion that would be a hard sell because it would not be integrated. He asked staff if the multifamily part of mixed-use included condo.

Planner Temes said that at this point in time it would. She said that she believed that the thought process was that the mixed-use would be part of a PAD development plan so that the uses in the plan is laid out as a comprehensive so that they would not have to say you cannot develop the multifamily until you develop the commercial. The integrated plan would be laid out and locked into zoning. The other option is that with the Use Permit they would be required to provide a development plan that would be an exhibit to the Use Permit that is tied to it and that is the development plan that goes forward with the property.

Commissioner Cavenee commented that his experience with mixed-use is that they are structurally integrated where for example the residential is above the commercial or something like that.

Planner Temes said that was discussed at the various meetings and they were somewhat apprehensive about that because you don't know what is coming in that could be really awesome. There was the idea that if you have good integration between the uses such as compact design, short walking distances, trees, good landscaping and connectivity you could take horizontal mixed-use and make it work together by place making.

Commissioner Peterson said that because they are doing a Use Permit for the residential component it is a case-by-case basis. She said that a Use Permit gives them 4 findings and that she was not comfortable just looking at those 4 findings and saying "yes it meets the 4 findings and so you can go in here automatically" because sometimes the project can meet those findings but it may not be the right project for that location. This will give them somewhat more to work with to add guidelines or factors that the developers would look at to bring the properties forward and then look at the findings.

Commissioner Sippel said that even though they meet the findings the applicant would still have to come before the Planning Commission so that does what Commissioner Cavenee was talking about in terms of a case-by-case basis.

Commissioner Powell asked if what they were doing currently was evaluating the text amendment for accepting Multifamily inside the zoning for Regional Commercial.

Planner Temes said that what they were doing was trying to define additional parameters. It is currently allowed with a Use Permit but they were the 4 original findings. What they are looking at is adding 4 or 5 additional findings for more parameters so that when making a decision the Commission has a little more guidance as to what a Mixed-Use is.

Commissioner Powell asked if the ordinance that describes what Mixed-Use is would be discussed later.

Ms. Temes said that planner Milillo would be bringing it back before the Commission in another study session and so it could be discussed currently or at a later time.

Commissioner Powell said that he had the opportunity to serve on the Stakeholders Group and that he felt that they did a very nice job defining the language. He said that he wanted to make sure that they carefully separated the Design Mixed-Use Guidelines as there are 3-5 pages of additional language

that was not represented currently and that they were currently simply evaluating the guidelines for approving multi-housing in RC zoning.

Planner Temes said that what was being presented currently are the findings and the design guidelines are yet to be finalized.

Commissioner Peterson said that currently staff was just "checking in" to see how the Stakeholders Group was moving forward and to see if the Planning Commission thought that they were on the right track and if there was anything glaring that the Commission didn't feel that was going in the right direction.

Commissioner Bianchi said that he agreed with the comments that had been made by the other Commissioners. He said that he felt that the fifth finding for placemaking was somewhat subjective. He said that his initial concern when first seeing the item at study session was that with the RC zoning on a large parcel does it provide a method for some developers to bypass the public hearing process for Multifamily. He said that he liked the direction that this was going.

Vice Chairman Oehler said that he attended a couple of the meetings and believed that they were on the right road with what they were doing. He said that he believed that in terms of the placemaking that it needed to be massaged somewhat and that it was a good idea to be vague but not too vague to where it becomes a tree and a bench.

Chairman Wittmann said that for the mixed land use they need to provide more clarity to that section and define what they consider as a mixed land uses if they expect two different types of land uses to be included in that. It would be nice to provide to the public and everyone else so that it is clear exactly what the Town is looking for. She asked in terms of sustainability through compact design what is defined as compact?

Planner Temes said that they were somewhat hesitant to put a dimensional/linear requirement to it but in Arizona walking outside 800 feet is probably considered the maximum distance for people to walk because of the heat. With interesting, out-of-the-box thinking a longer stretch is doable such as at the mall with misters. In this climate people aren't going to walk much more than a quarter of a mile to get from one use to another. You must have a comfortable place made environment to get people to go any distance. When doing horizontal mixed-use you must look at connectivity and that is where the compact design comes in. When in vertical mixed-use that is not as much of an issue. She said that they would have to look at it a little more while still being flexible.

Chairman Wittmann said that in terms of the placemaking that seemed vague as well, especially if they were incorporating some sort of residential component. She said that she would like more information as to what they were thinking of as far as significant public spaces and dedicated open spaces.

Planner Temes said that one of the other issues that were discussed was whether Multifamily coming in with fencing around it qualified As Mixed-Use. Is there ways to have on street parking for Multifamily and still feel secure and only have perhaps the clubhouse and pool area fenced in? If you put a wall all around a complex or development how is it integrated into the rest. That's not only part

of placemaking but part of the overall idea of integration abuses. There will be ongoing discussion on that.

Commissioner Cavenee said that he believed that they would find that developers would want any residential parking to be secured and so requiring shared parking may be a difficult thing. Overnight parking in a public environment is sometimes a problem, particularly for residential.

Discussion of Regular Meeting Agenda

Vice Chairman Oehler said that they would move items 7, 8, 9, 10, 11, 13, 14 and 15 to the Conse	nt
Agenda.	
Chairman Wittmann adjourned the meeting at 6:25 p.m.	